



PATENT

IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANT(S): Yaochu Jin *et al.*  
APPLICATION NO.: 10/007,734  
FILING DATE: November 9, 2001  
TITLE: Approximate Fitness Functions  
EXAMINER: George B. Davis  
GROUP ART UNIT: 2121  
ATTY. DKT. NO.: 23077-06445

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: September 16, 2004

By: 

John T. McNelis, Reg. No.: 37,186

MAIL STOP AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

LETTER TO THE CHIEF DRAFTSPERSON

SIR:

Please substitute the enclosed two (2) sheets of formal drawings containing Figures 1 and 3 or the two (2) sheets of drawings containing Figures 1 and 3 previously submitted.

Respectfully submitted,  
Yaochu Jin *et al.*

Dated: September 16, 2004

By: 

John T. McNelis, Reg. No: 37,186  
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Silicon Valley Center  
801 California Street  
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Tel.: (650) 335-7133  
Fax.: (650) 938-5200

0001/PTO  
Rev. 10/95

U.S. Department of Commerce  
Patent and Trademark Office

Application Number

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Filing Date

November 9, 2001

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First Named Inventor

Yaochu Jin

SEP 22

Group Art Unit Number

2121

Technology Center

Examiner Name

George B. Davis

## TRANSMITTAL FORM

(to be used for all correspondence during pendency of  
filed application)

Total Number of Pages in This Submission

22

Attorney Docket Number

23077-06445

### ENCLOSURES (check all that apply)

☒ Fee Transmittal Form (in duplicate)

☐ Check Enclosed

☒ Return Receipt Postcard

☐ Response to Notice to File Missing Parts

☐ Assignment & Recordation Cover Sheet

☐ Declaration

☐ Power of Attorney

☐ Application Data Sheet

☐ Information Disclosure Statement & PTO/SB/08A

☐ Copies of IDS Cited References

☐ Request for Corrected Filing Receipt

☐ Request for Correction of Recorded Assignment

☒ Response and Amendment A: 16 Pages including 2  
Annotated Marked-Up Drawings

☐ After Final

☐ Status Request

☐ Revocation and Substitute Power of Attorney

☐ Issue Fee Transmittal

☒ Letter to Chief Draftsperson

☒ Replacement Drawing(s):

[2] Sheet(s) of Figures 1 and 3

☐ Appeal Communication to Board of Appeals and  
Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Certified Copy of Priority Document(s)

☐ After Allowance Communication to Group

REMARKS:

### SIGNATURE OF ATTORNEY OR AGENT

Signature:

Attorney/Reg. No.:

John T. McNelis, Reg. No. 37,186

Dated:

September 16, 2004

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Signature:

Typed or Printed Name:

John T. McNelis

Dated:

September 16, 2004

Express Mail Mailing Number (optional):

23077/06445/DOCS/1466169.1

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<h1 style="margin:0;">FEE TRANSMITTAL</h1> <h2 style="margin:0;">for FY 2004</h2> <p style="margin:0; font-size: small;">Patent fees are subject to annual revision.</p>		<p style="margin:0; font-size: x-small;">Complete if Known</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:50%;">Application Number</td><td>10/007,734</td></tr> <tr><td>Filing Date</td><td>November 9, 2001</td></tr> <tr><td>First Named Inventor</td><td>Yaochu Jin</td></tr> <tr><td>Examiner Name</td><td>George B. Davis</td></tr> <tr><td>Art Unit</td><td>2121</td></tr> <tr><td>Attorney Docket No.</td><td>23077-06445 Technology Center 210</td></tr> </table>		Application Number	10/007,734	Filing Date	November 9, 2001	First Named Inventor	Yaochu Jin	Examiner Name	George B. Davis	Art Unit	2121	Attorney Docket No.	23077-06445 Technology Center 210
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<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<div style="font-size: 2em; font-weight: bold; transform: rotate(-5deg);">RECEIVED</div> <div style="font-size: 1.2em; font-weight: bold; transform: rotate(-5deg);">SEP 22 2004</div>													
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<p><b>METHOD OF PAYMENT</b> (check all that apply)</p> <p> <input type="checkbox"/> Check           <input type="checkbox"/> Credit Card           <input type="checkbox"/> Money Order           <input type="checkbox"/> Other           <input checked="" type="checkbox"/> None       </p> <p>Deposit Account: _____</p> <p>Deposit Account Number: <span style="border: 1px solid black; padding: 2px;">19-2555</span></p> <p>Deposit Account Name: <span style="border: 1px solid black; padding: 2px;">Fenwick &amp; West LLP</span></p> <p>The Commissioner is authorized to: (check all that apply)</p> <p> <input type="checkbox"/> Charge fee(s) indicated below           <input checked="" type="checkbox"/> Credit any overpayments       </p> <p> <input checked="" type="checkbox"/> Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application       </p> <p> <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee       </p> <p>to the above-identified deposit account.</p> <hr/> <p style="text-align: center;"><b>FEE CALCULATION</b></p> <p><b>1. BASIC FILING FEE</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td></td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td>(\$)</td> <td><b>0</b></td> </tr> </tbody> </table> <p><b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Total Claims</th> <th colspan="2">Extra Claims</th> <th colspan="2">Fee from below</th> <th colspan="2">Fee Paid</th> </tr> </thead> <tbody> <tr> <td></td> <td>11</td> <td>-20**=</td> <td>0</td> <td>x</td> <td>18</td> <td>=</td> <td>0</td> </tr> <tr> <td>Independent Claims</td> <td>1</td> <td>-3**=</td> <td>0</td> <td>x</td> <td>88</td> <td>=</td> <td>0</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>=</td> <td></td> </tr> </tbody> </table> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>86</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>86</td><td>2204</td><td>43</td><td>**Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL (2)</b></td> <td>(\$)</td> <td><b>0</b></td> </tr> </tbody> </table> <p style="font-size: x-small;">**or number previously paid, if greater; For Reissues, see above</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	770	2001	385	Utility filing fee		1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		<b>SUBTOTAL (1)</b>				(\$)	<b>0</b>	Total Claims		Extra Claims		Fee from below		Fee Paid			11	-20**=	0	x	18	=	0	Independent Claims	1	-3**=	0	x	88	=	0	Multiple Dependent						=		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20		1201	86	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple dependent claim, if not paid		1204	86	2204	43	**Reissue independent claims over original patent		1205	18	2205	9	**Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>				(\$)	<b>0</b>	<p style="text-align: center;"><b>FEE CALCULATION (continued)</b></p> <p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(g)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL (3)</b></td> <td>(\$)</td> <td><b>0</b></td> </tr> </tbody> </table> <p style="font-size: x-small;">*Reduced by Basic Filing Fee Paid</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(g)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____						<b>SUBTOTAL (3)</b>				(\$)	<b>0</b>
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1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																																																							
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																																																																																							
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																																																																																																																																																																																							
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																																																							
1502	480	2502	240	Design issue fee																																																																																																																																																																																																																																																																																																																							
1503	640	2503	320	Plant issue fee																																																																																																																																																																																																																																																																																																																							
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																																																																							
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)																																																																																																																																																																																																																																																																																																																							
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																																																																																							
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																																																							
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																																																																																																																																							
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																																																																																																							
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																																																																																																																																																																							
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																																																																																																																																																							
Other fee (specify) _____																																																																																																																																																																																																																																																																																																																											
<b>SUBTOTAL (3)</b>				(\$)	<b>0</b>																																																																																																																																																																																																																																																																																																																						

<b>SUBMITTED BY</b>			Complete (if applicable)	
Name (Print/Type)	John T. McNelis	Registration No. (Attorney/Agent)	37,186	Telephone (650) 335-7133
Signature				Date
				September 16, 2004